

JUDGE KAPLAN  
08 CV 00179

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

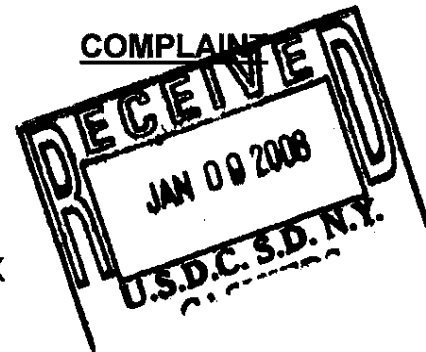
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BHS (NEW YORK) CORPORATION,

Plaintiff,

v.

IBRAHIMA DIENE,

Defendant.  
-----X



Plaintiff, by its attorneys, Troutman Sanders LLP, for its complaint,  
alleges:

**Jurisdiction and Venue**

1. Plaintiff is a New York corporation, with its principal place of business in New York.
2. Upon information and belief, defendant is a citizen of Senegal, residing in New Jersey.
3. The amount in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00.
4. A substantial part of the events or omissions giving rise to the claim occurred in the Southern District of New York.
5. Jurisdiction is afforded by 28 U.S.C. § 1332(a)(2). Venue is proper in this District pursuant to 28 U.S.C. § 1391(a)(2).

**General Allegations**

6. Plaintiff is a wholly-owned subsidiary of Banque de l'Habitat du Senegal, a Senegalese bank. Plaintiff is licensed and engaged in the business of money transmitting, primarily between the United States and Senegal.

7. At all times here relevant, defendant was employed as the Manager of plaintiff's New York office, and was Vice-President and Secretary of plaintiff.

8. During his tenure, and prior to December 31, 2005, defendant wrongfully converted \$508,814 of plaintiff's funds to his own use, no part of which has been repaid, despite due demand.

**First Claim for Relief**

9. Defendant owes plaintiff \$508,814, with interest from December 31, 2005, for conversion.

**Second Claim for Relief**

10. Defendant owes plaintiff \$508,814, with interest from December 31, 2005, for breach of the fiduciary duty he owed to plaintiff.

**Third Claim for Relief**

11. Defendant owes plaintiff \$508,814, with interest from December 31, 2005, for breach of his duty of good faith and loyalty as an employee.

**WHEREFORE**, plaintiff demands judgment against defendant, in the sum of \$508,814, with interest from December 31, 2005, together with the costs and disbursements of this action.

**TROUTMAN SANDERS LLP**

By: 

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